

REMARKS

The Office Action dated January 22, 2007 has been received and carefully noted. The above amendments to the claims, and the following remarks, are submitted as a full and complete response thereto.

Claims 1-3, 5, 15, 16, 19-21, 24, 26-28, 32, 34-36, and 41 have been amended to more particularly point out and distinctly claim the subject matter of the invention. Claims 43-46 have been added. No new matter has been added, and no new issues are raised which require further consideration and/or search. Claims 1-46 are submitted for consideration.

Claims 1-13 and 15-42 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,356,531 to Soliman (hereinafter Soliman). Applicants note that the filing date of Soliman is June 7, 1999. The present invention is a continuation of a PCT application filed on April 14, 2005, which claims priority from British Application No. 9908518.5 filed on April 14, 1999. Therefore, the effective U.S. filing date of the present application is April 14, 1999 which is earlier than the filing date of Soliman, thereby causing Soliman to not be a valid prior art reference under 35 U.S.C. 102(e). Based on the arguments presented above, Applicants respectfully request that the rejection be withdrawn.

Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,808,041 to Soliman. Applicants note that U.S. Patent No. 6,808,041 is granted to Demerly and not to Soliman, as noted in the Office Action. As noted above,

Soliman is not a valid prior art reference under 35 U.S.C. 102(e) and, thus, it is also not a valid prior art reference under 103(a). As to Demerly, the rejection is traversed as being based on a reference that neither teaches nor suggests the novel combination of features clearly recited in claim 14.

Claim 1, upon which claim 14 depends, recite a method of controlling the power with which a mobile station transmits signals to a base station. The method includes receiving from the base station at the mobile station a power control command signal. The method also includes determining from the received power control command signal a parameter representative of the quality with which the power control command signal is received at the mobile station and controlling the power at which the mobile station transmits signals based on the determination.

As outlined below, Applicants submit that the cited reference of Demerly does not teach or suggest the all of the elements of claim 14.

Demerly discloses a method for implementing directional control of a motor vehicle. The method includes determining whether a failure of a primary steering system of the motor vehicle exists. If a failure of the primary steering system exists, then a yaw moment is created on the vehicle by causing a differential longitudinal force to be applied with respect to a first wheel on one side of the vehicle and a second wheel on an opposite side of the vehicle, thereby causing the vehicle to turn in a commanded direction.

Applicants submit that Demerly does not teach or suggest each feature recited in claim 14. Specifically, Demerly does not teach or suggest receiving from the base station

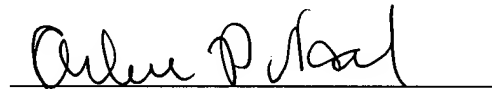
at the mobile station a power control command signal, as recited in claim 1 upon which claim 14 depends. Demerly also does not teach or suggest determining from the received power control command signal a parameter representative of the quality with which the power control command signal is received at the mobile station and controlling the power at which the mobile station transmits signals based on the determination, as recited in claim 1 upon which claim 14 depends. Therefore, Applicants respectfully assert that the rejection under 35 U.S.C. §103(a) should be withdrawn because Demerly does not teach or suggest each feature of claim 1 and hence, dependent claim 14 thereon.

As noted previously, claims 1-46 recite subject matter which is neither disclosed nor suggested in the prior art references cited in the Office Action. It is therefore respectfully requested that all of claims 1-46 be allowed and this application passed to issue

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicants' undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,



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Enclosures: Additional Claim Fee Transmittal
Request for Continued Examination (RCE) Transmittal
Information Disclosure Statement
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